

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/553,098

Filed: November 21, 2006

Inventor(s): Jeffrey W. Strovel

Attorney Docket No.: 357074.00009

(previously 689290-253)

Confirmation No.: 9106

Group Art Unit: 1634

Examiner: Shaw, Amanda Marie

Title: Determining Cancer-Linked Genes and Therapeutic Targets Using Molecular Cytogenetic Methods

DECLARATION UNDER 37 C.F.R. §1.132

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I, Jeffrey W. Strovel, Ph.D., do hereby make the following declaration:

- (1) I am a co-inventor of Application No.: 10/553,098 directed to *Determining Cancer-Linked Genes and Therapeutic Targets Using Molecular Cytogenetic Methods*.
- (2) I have significant experience in developing and implementing innovative platforms for the discovery and development of biomarkers. I was the Head of Discovery Research at Avalon Pharmaceuticals where I played a critical role in the development of many of the company's novel biomarker-driven discovery systems while simultaneously leading discovery efforts including the company's seminal product development candidate, a mechanistically novel cancer drug candidate targeting a major, previously intractable, target pathway in colorectal cancer. For this and other achievements, I was recognized in four different years with the company's "invention of the year" award. In addition, I critically evaluated licensing opportunities, directed a team responsible for the discovery and validation of

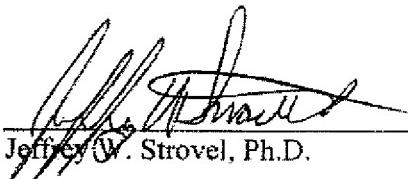
biomarkers in clinical specimens, and managed the biomarker assay group responsible for the development of pre-clinical and clinical biomarkers and the acquisition, processing, and interpretation of clinical biomarker data. I have also led programs for small molecule drug discovery and development including drug target discovery, Hit to Lead, Drug lead optimization, in vitro and pharmacodynamic biomarker discovery. Earlier in my career, I held positions at the University of Maryland and the National Cancer Institute.

(3) I am familiar with the invention disclosed and claimed in this patent application.

(4) Table 1 of the specification as filed provides a list of genes identified in cancerous cells as being *both* over-expressed and showing increased copy number. That is, the genes within this Table 1 are expressed at levels in cancer cells that are different from the expression levels in non-cancer cells, and the genes within this Table 1 are amplified in cancer cells relative to non-cancer cells.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Dated: March, 30th, 2011

By: 
Jeffrey V. Strovel, Ph.D.